

## REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-27, 29, 30, 32-33, 35-36 and 38-40 remain pending. Claims 1-27, 29-30, 32-33, 35-36 and 38-40 have been rejected.

Claims 1, 8, 15, 21, 27, 30, 33, and 36 have been amended. No claims have been cancelled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicant submits that the amendments do not add new matter.

Applicant reserves all rights with respect to the applicability of the Doctrine of Equivalents.

Claims 1-7, 27, 29 and 39 stand rejected under 35 U.S.C. §101.

Applicant has amended claim 1 to include “determining, by a processor, whether an original frame of the time based stream of information requires one or more modifications...” (emphasis added).

Therefore, applicant respectfully submits that the Examiner’s rejection of claim 1, as amended, under U.S.C. 101 has been overcome.

Given that claims 2-7, 27, 29 and 39 now contain the limitations that are similar, but not identical to those limitations discussed above with respect to amended claim 1, applicant respectfully submits that the Examiner’s rejections of claims 2-7, 27, 29 and 39 under U.S.C. 101 have been overcome.

Claims 1-27, 29-30, 32-33, 35-36 and 38-40 stand rejected under 35 U.S.C. §112, second paragraph.

Applicant has amended claim 1 to replace “modification” with “one or more modifications”.

Therefore, applicant respectfully submits that the Examiner's rejection of claim 1, as amended, under 35 U.S.C. § 112, second paragraph has been overcome.

Given that claims 2-27, 29-30, 32-33, 35-36 and 38-40 now contain the limitations that are similar, but not identical to those limitations discussed above with respect to amended claim 1, applicant respectfully submits that the Examiner's rejections of claims 2-7, 27, 29 and 39 under U.S.C. 101 have been overcome.

Claims 1-27, 29-30, 32-33, 35-36 and 38-40 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Adobe After Effect Version 4.0 of 07/15/1999 ("After-Effects") in view of U.S. Patent No. 5,919,249 to Herbstman et al. ("Herbstman").

Amended claim 1 includes "rendering the one or more modifications to the original frame that includes adding an edit feature to the original frame to create a revised frame, and storing the edit feature added to the original frame in a file for the revised frame; automatically creating a proxy of the revised frame while still performing the rendering the one or more modifications to the original frame, the proxy including a simulation of the rendered one or more modifications that includes the added edit feature to the original frame; sending the proxy to a display device; displaying, by the display device, the proxy of the revised frame during the rendering the one or more modifications to the original frame."(emphasis added).

After-Effects discloses creating a proxy for a high-resolution footage file (p. 9). More specifically, After-Effect discloses "You will begin by importing high-resolution footage...Next you'll create and assign a proxy or lower-resolution copy, of the original footage to make working with the project faster and easier." (p. 9). More specifically, After-Effect discloses "1. Choose File>Import>Footage File, and then select ActHiR01.cin from the 07Lesson folder.... 2. Next, choose Composition>New Composition, type 2\_Proxy for the name, and choose Film (2K) from the Frame size menu...3. In the Composition window, choose Quarter from the

resolution menu...4. Set the Frame Rate to 24 fps....9. Choose File>Import>Footage File, and then select ActHiR.mov from the 07Lesson folder and click open...Drag it from the Project window into the 2\_Proxy Time Layout window....11. After rendering the proxy, you'll assign it to represent the original footage. ” (p. 11). After-Effect discloses “select ActHiR.mov footage item in the Project window, and then choose File> Set Proxy>File, select ActPrx.mov from the 07lesson folder, and click Open. A ...proxy indicator appears to the left of the ActHiR.mov footage item in the Project window, indicating that a proxy has been set....If you need to switch between the original footage and its proxy, click the proxy indicator to turn it on or off” (p. 11). In particular, the portions in After-Effects cited by the Examiner disclose the following:

When you use the ActHIR.mov file in a composition, After Effects will use the proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 512x384, it behaves as if it's 2048 x 1536 in the composition.

(After-Effects, page 12, lines 1-4)

Thus, After-Effects discloses creating a proxy and assigning the proxy to the high-resolution footage by a user. In contrast, amended claim 1 refers to automatically creating a proxy of a revised frame. After-Effect fails to disclose rendering the one or more modifications to the original frame that includes adding an edit feature to the original frame to create a revised frame, and storing the edit feature added to the original frame in a file for the revised frame; and automatically creating a proxy of the revised frame while still performing the rendering the one or more modifications to the original frame.

Herbstman, in contrast, discloses the following:

In one embodiment, user request 314 provided to user interface 312 includes one or more custom render setting values. Queue sub-system 301 loads these custom render setting values into a custom template and assigns a unique identifier to the custom configuration. Thereafter the custom template is stored in memory 316, until retrieved by render module 302. The configurable render settings include quality; resolution; proxy use; effects; frame blending; field render; 3:2 pull down; motion blur; shutter angle; use storage

overflow; time span; start, end and duration; frame rate; and skip settings... .

Proxy use determines whether proxies will be used when rendering. Proxies are representations of footage items in outline form. Proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage.

(col. 3, line 62-col. 4, line18) (emphasis added).

Thus, Herbstman the user interface containing custom render settings that includes proxy use. Herbstman fails to disclose, teach, or suggest rendering the one or more modifications to the original frame that includes adding an edit feature to the original frame to create a revised frame, and storing the edit feature added to the original frame in a file for the revised frame; and automatically creating a proxy of the revised frame while still performing the rendering the one or more modifications to the original frame, as recited in amended claim 1.

Furthermore, even if After-Effects and Herbstman were combined, such a combination would still lack rendering the one or more modifications to the original frame that includes adding an edit feature to the original frame to create a revised frame, and storing the edit feature added to the original frame in a file for the revised frame; and automatically creating a proxy of the revised frame while still performing the rendering the one or more modifications to the original frame, as recited in amended claim 1.

Therefore, applicant respectfully submits that claim 1, as amended, is not obvious under 35 U.S.C. § 103(a) over After-Effects in view of Herbstman.

For at least the reasons that are similar to those reasons as set forth above with respect to amended claim 1, applicant respectfully submits that claims 2-27, 29-30, 32-33, 35-36 and 38-40 are not obvious under 35 U.S.C. § 103(a) over After-Effects in view of Herbstman.

Claims 1-27, 29-30, 32-33, 35-36 and 38-40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over After-Effects in view of U.S. Patent No. 6,215,485 to Phillips (“Phillips”).

As set forth above, After-Effects discloses creating a proxy and assigning the proxy to the high-resolution footage by a user. In contrast, amended claim 1 refers to automatically creating a proxy of a revised frame. After-Effect fails to disclose rendering the one or more modifications to the original frame that includes adding an edit feature to the original frame to create a revised frame, and storing the edit feature added to the original frame in a file for the revised frame; and automatically creating a proxy of the revised frame while still performing the rendering the one or more modifications to the original frame.

Phillips, in contrast, discloses storing effects descriptions from a nonlinear editor using field chart and/or pixel coordinate data for use by a compositor. Phillips fails to disclose, teach, or suggest rendering the one or more modifications to the original frame that includes adding an edit feature to the original frame to create a revised frame, and storing the edit feature added to the original frame in a file for the revised frame; and automatically creating a proxy of the revised frame while still performing the rendering the one or more modifications to the original frame, as recited in amended claim 1.

Furthermore, even if After-Effects and Phillips were combined, such a combination would still lack rendering the one or more modifications to the original frame that includes adding an edit feature to the original frame to create a revised frame, and storing the edit feature added to the original frame in a file for the revised frame; and automatically creating a proxy of the revised frame while still performing the rendering the one or more modifications to the original frame, as recited in amended claim 1.

Therefore, applicant respectfully submits that claim 1, as amended, is not obvious under 35 U.S.C. § 103(a) over After-Effects in view of Phillips.

For at least the reasons that are similar to those reasons as set forth above with respect to amended claim 1, applicant respectfully submits that claims 2-27, 29-30, 32-33, 35-36, and 38-40 are not obvious under 35 U.S.C. § 103(a) over After-Effects in view of Phillips.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If the Examiner believes that a teleconference would assist in prosecution of the present application, the Examiner is invited to call the undersigned at (408) 720-8300. If there are any additional charges, please charge Deposit Account No. 022666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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By: /Tatiana Rossin/  
Tatiana Rossin  
Reg. No.: 56,833

1279 Oakmead Parkway  
Sunnyvale, California 94085-4040  
Tel: (408) 720-8300

Customer No. 045217